

Adopted by Commission on: January 22, 1998
Amended: September 9, 2010

BYLAWS

Town of Vinton, Virginia Planning Commission

ARTICLE I - AUTHORIZATION

- 1-1. The official title of this Planning Commission shall be "Town of Vinton Planning Commission" and shall hereinafter be referred to as the "Commission".
- 1-2. The Commission is established pursuant to the requirements of § 15.2-2210 of the *Code of Virginia, 1950, as amended*.

ARTICLE II – POWERS AND DUTIES

- 2-1. The Commission shall have and exercise the powers and duties conferred upon the Commission by the Code of Virginia, 1950, as amended, the Code of Town of Vinton, Virginia, as amended, and any applicable Town policies.
- 2-2. The primary purpose of the Commission is to serve in an advisory capacity to the Vinton Town Council. The Commission shall make recommendations to the Town Council and assist them in the administration of the Zoning and Subdivision Ordinances, the Comprehensive Plan, and other Town policies and matters affecting the development and growth of the Town and other matters as may be directed by the Council.
- 2-3. The Commission shall promote programs, policies, and plans to achieve responsible land development within the Town to facilitate effective and adequate provision of public services and facilities.
- 2-4. The Commission may appoint any committees or subcommittees it deems necessary.

ARTICLE III - MEMBERSHIP

- 3-1. The Commission shall consist of five members who shall be appointed by the Vinton Town Council, all of whom shall be residents of the Town of Vinton, and qualified by knowledge and experience to make responsible decisions on questions of growth and development. At least three (3) of the members shall own real property in the Town. One member may be a member of the Town Council.

- 3-2. The terms of office for the Council member shall be coextensive with his/her term of office or until the Council appoints his/her replacement. The terms of other original members shall be for one, two, three, and four years. Subsequent members shall be appointed for terms of four years each.
- 3-3. The Town Council may require each member of the Commission to take an oath of office.
- 3-4. The Town Council may provide for compensation to Commission members for their services, reimbursement for actual expenses incurred, or both.
- 3-5. Any vacancy in membership shall be filled by appointment of the Vinton Town Council and shall be for the unexpired portion of the term.
- 3-6. Any member of the Commission shall be eligible for re-appointment.
- 3-7. Any member of the Commission may be removed from office by the Vinton Town Council for negligence of duty, malfeasance, misfeasance, and nonfeasance in office or for any other just cause. Any such removal shall be by an action of a majority of the Vinton Town Council.
- 3-8. The term of a Commission member shall expire on the last day of the month, four years from date of appointment. The successor's term shall begin on the first day of the following month. In the event that an appointment of successor is not made prior to the expiration of a given term of office, the Commission member whose term expires shall continue to serve until the last day of the month in which the successor's appointment is made. The successor's term shall expire four years from the original expiration date.
- 3-9. The Vinton Town Council shall be notified of upcoming term expirations sixty (60) days prior to its first meeting in the month of expiration.

ARTICLE IV - OFFICERS

- 4-1. Officers of the Commission shall consist of a chairperson, vice-chairperson, a secretary and a recording secretary. The chairperson and vice-chairperson shall be members of the Commission and shall be elected by the membership. The secretary shall serve at the request of the Commission and may be a member of the Commission, the Planning and Zoning Director, or a citizen volunteer.
- 4-2. Terms of the chairman and vice-chairman shall be for one (1) year or until a successor takes office.
- 4-3. The Commission shall, at its first meeting in January or the following month of each year, elect one of its members as chairperson, who shall preside at such meeting and all

other meetings during the term for which elected, if present. The Commission shall elect a vice-chairperson who shall preside at meetings in the absence of the chairperson and may discharge any other duty of the chairperson during his/her absence or disability. Nominations shall be from the floor, with election immediately thereafter. A nominee receiving three (3) or more votes shall be declared elected.

- 4-4. Vacancies shall be filled for an unexpired term by a majority vote of the Commission.

ARTICLE V - DUTIES OF OFFICERS

- 5-1. The chairperson shall:

- 5-1-1. Preside at all meetings.
- 5-1-2. Appoint all committees deemed advisable with the aid of the Commission.
- 5-1-3. Rule on all procedural questions (subject to a reversal by vote of two-thirds of the members present).
- 5-1-4. Certify the Commission's review of documents, minutes, plans, maps, etc., brought before the Commission for official action or recommendation.
- 5-1-5. Have authority to call special meetings as he/she deems necessary.
- 5-1-6. Report official communications at the next regular Commission meeting.
- 5-1-7. Carry out other duties as assigned by the Commission.

- 5-2. The vice-chairperson shall:

- 5-2-1. Act in the absence, resignation or inability of the chairperson with full powers of the chairperson. If the position of chairperson becomes vacant, the vice-chairperson shall resume his/her duties. A vice-chairperson shall then be elected by a majority vote at the next regular meeting following the vice-chairperson's last regular meeting.

- 5-3. The secretary shall:

- 5-3-1. Notify all members of meetings
- 5-3-2. Maintain a file of all official Commission records and reports.
- 5-3-3. Certify all maps, records, recommendations and reports of the Commission.
- 5-3-4. Give notice and be responsible for publishing public notices of all Commission public hearings and public meetings.
- 5-3-5. Serve as Subdivision Review Agent for the Commission.
- 5-3-6. Attend to the correspondence for the execution of the duties and functions of the Commission.

- 5-4. The recording secretary shall:

- 5-4-1. Record attendance at all Commission meetings.

- 5-4-2. Record the minutes of all Commission meetings.
- 5-4-3. Certify all minutes as true and correct copies after approval by the Commission.

ARTICLE VI - COMMITTEES

- 6-1. The chairperson may, from time to time, appoints such advisory committees as he/she deems necessary or as directed by the Commission. Committees may consist of persons representing the citizens of the Town, specific areas of expertise, the Commission, and the Town staff. The following committees may be appointed at the discretion of the chairperson:
 - 6-1-2. Comprehensive Plan Committee - develops, updates, and revises the comprehensive plan and coordinates the work of other committees that relate to the plan development.
 - 6-1-3. Land Use Committee - prepares and maintains an inventory of land uses within the Town of Vinton, and is responsible for the preparation of land use maps.
 - 6-1-4. Subdivision Committee - drafts subdivision regulations and subsequent amendments. Examines subdivision applications and makes recommendations to the Commission after reviewing staff comments.
 - 6-1-5. Zoning Committee - drafts zoning ordinance and subsequent amendments. Reviews applications for rezoning, special exceptions, or special use permits and makes recommendations to the Commission.
 - 6-1-6. Capital Improvements Program Committee - prepares and annually updates a capital improvements program (CIP) in conjunction with the Town administrative officials. Assures that the CIP is in conformance with the Comprehensive Plan.
- 6-2. Special committees may be appointed by the chairperson for purposes and terms approved by the Commission.

ARTICLE VII – MEETINGS

- 7-1. The Commission shall hold regular meetings on such days that may be prescribed by resolution at the first meeting in January each year. The Commission shall give notice of the date, time, and location of its meetings by placing a notice in the office of the Planning and Zoning Department. The Planning and Zoning Department may publish meeting notices by electronic means. The notice shall be posted at least three (3) working days prior to the meeting.
- 7-2. Special meetings may be called, by the chairperson or by two (2) members upon written request to the secretary. Whenever a special meeting shall be called, notice in writing shall be given to each Commission member either in person or by notice left at their place of residence or business, stating the date and hour of the meeting and the purpose for which such meeting is called.

- 7-3. All meetings of the Commission shall be open to the public, except for those meetings (or portion of meetings) which may be closed to the public under the provisions of the Virginia Freedom of Information Act.
- 7-4. The Commission shall meet at least six (6) times per year.
- 7-5. The Commission is required to keep an accurate, public record of all its transaction and is also required to make an annual report to the governing body on its operation and the status of planning in the locality.
- 7-6. On regular meeting dates, the Commission when necessary shall hold public hearings to consider subdivision waivers, comprehensive plan amendments, zoning amendments, and special use permits. These public hearings are held to receive information and solicit public comments.
- 7-7. The Commission may meet informally in work sessions which shall be open to the general public. The Commission may, at the discretion of the presiding officer, solicit public comments at the work sessions.

ARTICLE VIII - VOTING

- 8-1. A majority of the members, three (3) members shall constitute a quorum and shall be necessary for the transaction of business.
- 8-2. No action of the Commission shall be valid unless authorized by a majority vote of those present and voting.
- 8-3. Any member of the Commission may introduce a motion. All motions must be seconded for purposes of discussion or voting.
- 8-4. All actions of the Commission on petitions shall be by roll call vote. All other actions may be by voice vote unless a member requests a roll call vote.
- 8-5. All actions of the Commission shall be effective immediately following the completion of a roll call vote.
- 8-6. Any motion, which fails, shall not constitute the approval of the inverse motion. If a motion fails, a member of the prevailing side shall introduce a new motion for the Commission's consideration.
- 8-7. In the event of a tie in votes on any motion, due to an absence of a Commission member, consideration of the motion shall be carried over until the next regular meeting. In the event of a tie vote on any motion due to abstention, the motion shall be considered to

have been defeated.

ARTICLE IX - PARLIAMENTARY PROCEDURES

- 9-1. The Commission may, from time to time, adopt rules and regulations governing procedure for filing, scheduling, and preparing petitions and requests for hearing before the Commission.
- 9-2. The Commission shall keep minutes of each meeting and these minutes shall become a public record. The secretary shall sign all minutes.
- 9-3. The Commission meetings shall be governed in accordance with the “The Standard Code of Parliamentary Procedure”, by Alice Sturgis, 4th Edition, and Revised by the American Institute of Parliamentarians, in all cases in which they are applicable and in which they are not inconsistent with these bylaws and any special rules the Commission may adopt.

ARTICLE X - PUBLIC HEARING

- 10-1. In addition to those required by law, the Commission may hold public hearing on any matter which is deems to be in the public interest.
- 10-2. Notice of a public hearing shall be in accordance with § 15.2-2204 of the *Code of Virginia, 1950, as amended*.
- 10-3. The chairperson shall summarize the matter before the Commission, allow interested parties to speak, and accept written statements and other documentation pertinent to the matter being addressed.
- 10-4. All actions by the Commission shall be in the form of a motion, giving the reasons for the action. The vote of each member with regard to each motion shall be recorded in the Commission’s records. Each recommendation to the Council shall include a statement of the relationship of the proposed rezoning and/or the special use permit to the Comprehensive Plan of the Town. In any case where the Commission is unable to adopt a motion to recommend approval or disapproval, it shall forward a written report to the Council stating such fact and summarizing its deliberation on the matter.
- 10-5. An accurate, written record shall be made of the proceedings of the public hearing and maintained as a part of the Commission’s files.

ARTICLE XI - CONFORMITY WITH EXISTING CODES

- 11-1. The Commission shall act within the provisions of Sections 2-75 through 2-80 of the

Code of the Town of Vinton; §§ 15.2-2200 through 15.2-2327, Chapter 22, of the Code of Virginia, 1950, as amended, and other Town, State and Federal regulations as applicable.

ARTICLE XII - AMENDMENTS

- 12-1. These Bylaws may be amended by a majority vote of the entire membership after thirty (30) days prior notice.
- 12-2. These Bylaws may be reviewed every two (2) years.